

REMARKS

By this Amendment, claims 1, 3, 4, 6 and 14 have been amended. The amendment to claim 14 does not narrow its scope. Claims 1-17 are currently pending. Reconsideration of the Official Action is respectfully requested.

1. Allowable Subject Matter

The Official Action indicates that claims 3, 4, 6 and 7 contain allowable subject matter. Claims 3, 4 and 6 have been rewritten in independent form, each now including the features of claim 1 (prior to this Amendment). Accordingly, claims 3, 4 and 6 are allowable. Claim 7 depends from claim 6 and thus also is allowable.

2. Rejection Under 35 U.S.C. §102(a)

Claims 1, 2, 5 and 8-17 stand rejected under 35 U.S.C. §102(a) over PCT Publication No. WO00/61362 ("WO '362"). The rejection is respectfully traversed.

Claim 1, as amended, recites a laminated product, which comprises "a fiber reinforced resin layer ...; an elastic layer laminated on one surface of said fiber reinforced resin layer; and a surface protection layer laminated on the surface of said elastic layer for protecting the surface of said elastic layer, wherein the surface protection layer is a film made of polyamide, polyester, or polypropylene" (emphasis added). WO '362 fails to disclose the claimed laminated product for the following reasons.

The Official Action fails to identify any particular disclosure in WO '362 that allegedly supports the rejection. Applicants respectfully submit that WO '362 neither discloses nor suggests a laminated product including each and every feature recited in claim 1. For example, the embodiments of the laminated product shown in Figures 2-7 include a fiber-reinforced resin layer 3 and a urethane-based resin layer

4, as well as additional layers (Figures 3-7). However, none of these embodiments include each and every feature recited in claim 1. Figure 6 shows an embodiment of the WO '362 laminated product including a fiber-reinforced resin layer 3, a urethane-based resin layer 4 on opposed surfaces of the fiber-reinforced resin layer 3, and a non-woven fabric 7 on the urethane-based resin layer 4. However, the non-woven fabric 7 is different from "a surface protection layer laminated on the surface of said elastic layer for protecting the surface of said elastic layer, wherein the surface protection layer is a film made of polyamide, polyester, or polypropylene" (emphasis added), as recited in claim 1. WO '362 does not suggest modifying the laminated product shown in Figure 6 by replacing the non-woven fabric with a surface protection layer as recited in claim 1, at least because the non-woven fabric and surface protection layer are provided for different reasons. Namely, the surface protection layer is provided in the claimed laminated product to protect the elastic layer, while the non-woven fabric is provided in the WO '362 laminated product to realize good adhesion between a fiber-reinforced resin layer and a urethane-based resin layer (see U.S. Patent No. 6,468,643 at column 6, lines 32-34). For at least this reason, the laminated product recited in claim 1 is patentable over the embodiment of the WO '362 laminated product shown in Figure 6.

Figure 7 shows another embodiment of the WO '362 laminated product including a fiber-reinforced resin layer 3, a urethane-based resin layer 4 on opposed surfaces of the fiber-reinforced resin layer 3, and an asphalt coating 5 on the urethane-based resin layer 4. However, the asphalt coating 5 also is different from "a surface protection layer laminated on the surface of said elastic layer for protecting the surface of said elastic layer, wherein the surface protection layer is a

film made of polyamide, polyester, or polypropylene," as recited in claim 1. WO '362 does not suggest modifying the laminated product shown in Figure 7 by replacing the asphalt coating 5 with a surface protection layer as recited in claim 1. For at least this reason, the laminated product recited in claim 1 also is patentable over the embodiment of the WO '362 laminated product shown in Figure 7.


Because WO '362 fails to disclose or suggest each and every feature recited in claim 1, claim 1 is patentable. Dependent claims 2, 5 and 8-17 also are patentable over WO '362 for at least the same reasons as those for claim 1.

Therefore, withdrawal of the rejection is respectfully requested.

For the foregoing reasons, allowance of the application is respectfully requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: 1/23/04 By: 
Edward A. Brown
Registration No. 35,033

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620